

REMARKS

I. Introduction

This paper is filed in response to the non-final Office Action mailed April 14, 2009. The pending claims stand rejected under 35 U.S.C. § 101 and 35 U.S.C. § 112, ¶ 2. The Applicants acknowledge and thank the Examiner for indicating that the pending claims would be allowable if rewritten to overcome the Section 101 and Section 112, ¶ 2 rejections and for the Examiner's suggestions for overcoming the rejections.

Claims 1, 2, and 29-35 are amended. Examples of support for the amendments can be found in the originally filed specification on pages 8-9, Figure 1 and in the originally filed claims. No new matter has been added. After entry of the amendments, claims 1-4, 6, 23, 26, and 28-36 are pending.

Reconsideration and allowance of all pending claims is respectfully requested in view of the remarks below.

II. Rejections under Section 101

The Office Action rejected the pending claims under of 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. In its comments, the Office Action suggested amending claim 1 to tie the transmitting steps and the generating a summary report step to a machine to overcome the Section 101 rejection of claims 1-4, 6, 23, 26, and 28. (Office Action, p. 3.) The Office Action also suggested amendments to claims 29 to overcome the Section 101 rejection of claims 29-36. (*See* Office Action, p. 4.)

Applicants have amended claim 1 to recite “transmitting to a credit bureau, by a control module executed on a computer in response to the request from the consumer, an inquiry for credit history data relating to the consumer,” “generating, by the control module executed on the computer, a summary report of personalized credit-related information ...,” and “transmitting, by the control module executed on the computer, the summary report to the consumer.” Applicants submit that claims 1-4, 6, 23, 26, and 28 are directed to statutory subject matter.

Furthermore, claim 29 is amended to recite “A computer-readable memory on which program code is stored thereon, which when executed cause a processor to perform actions, the actions comprising:” Applicants submit that claims 29-36 are directed to statutory subject matter.

Withdrawal of the rejection and allowance of all pending claims is kindly requested.

III. Rejections under Section 112

The Office Action rejected the pending claims under 35 U.S.C. § 112, ¶ 2, as being indefinite for including “creating an account associated with the consumer” in each of independent claims 1 and 29, and then failing to reference the account within those claims again. Applicants have amended claims to remove “creating an account associated with the consumer” from claim 1 and include it in claim 2. Claims 29 and 30 are amended similarly. Applicants submit that the claims conform with Section 112, ¶ 2. Withdrawal of the rejection and allowance of the pending claims is kindly requested.

CONCLUSION

The undersigned respectfully submits that all pending claims are in a condition for allowance. Any fees due at this time may be charged to Deposit Account number 11-0855. If there are any matters that can be addressed by telephone, the Examiner is urged to contact the undersigned attorney at 404-745-2520.

Respectfully submitted,

/Jason D. Gardner 58180/
Jason D. Gardner
Reg. No. 58,180

DATE: June 9, 2009

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia, 30309-4530
404 745-2520 (direct)
404 541 4619 (direct fax)